

FISCAL NOTE

SB 2304 - HB 3080

March 2, 1998

SUMMARY OF BILL: Revises requirements for the exercise of eminent domain powers; provides that properties to be condemned must be valued no less than the most recent assessed value for property tax purposes; provides that possession may not be taken of the property until any compensation appeal is resolved in court. The bill also allows any entity regulated by the Tennessee Regulatory Authority to exercise eminent domain if they acquire a certificate of authorization from the affected local government.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Exceeds \$100,000 / Permissive
Increase Local Govt. Expenditures - Exceeds \$100,000 / Permissive

Assumes an increase in state and local government expenditures to the extent that such governments choose to exercise their powers of eminent domain and are required to:

- pay more for such property than they would in the absence of the bill;
- halt construction or delay construction until compensation disputes were resolved; and/or
- Pay attorney, appraisal, and engineering fees for landowners that establish that the taking was unconstitutional.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

SB 2304 - HB 3080